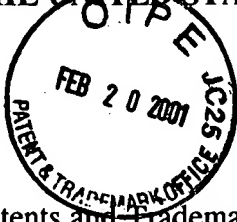


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



February 20, 2001

#13  
Notice of  
Appeal  
2/27/01

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

In re the application: Granados  
Serial No.: 09/294.663  
Filed: April 19, 1999  
For: A NOVEL INVERTEBRATE INTERSTINAL MUCIN CDNA AND  
RELATED PRODUCTS AND METHODS  
Examiner: Ibrahim, M.  
Art Unit: 1636  
Attorney docket no.: BTI-39 CIP

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS

TECH CENTER 1600/2300

FEB 26 2001

RECEIVED

The applicant hereby appeals to the Board of Appeals from the decision dated December 12, 2000, of the Primary Examiner rejecting claims 1, 6 and 9. Submitted herewith is a check in the amount of \$155.00 to cover the appeal fee.

Respectfully submitted:  
Granados et al

02/23/2001 HVUONG1 00000088 09294663

01 FC:219 155.00 DP

By: Thomas T. Aquilla  
Thomas T. Aquilla, Reg No.: 43,473  
Attorney for Applicant  
Brown & Michaels, P.C.  
400 M&T Bank Building  
118 N. Tioga Street  
Ithaca, New York 14850-4343  
(607) 256-2000  
Customer No.: 020808

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the U.S. Postal Service as Express Mail No: FL572518323 with a return receipt requested, in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231 on 2-20, 2001.

Judy H. Barron  
Judy H. Barron

Please type a plus sign (+) inside this box →



02-21-01

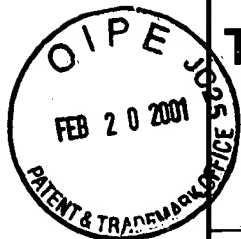
AF/11636

PTO/SB/21 (10-96)

Approved for use through 10/31/99. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/294,663

Filing Date 04/19/99

First Named Inventor Grandos

Group Art Unit 163

Examiner Name Ibrahim, M.

Total Number of Pages in This Submission

3

Attorney Docket Number BTI-39C

RECEIVED FEB 26 2001

## ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
- ☒ Fee Attached
- ☐ Amendment / Response
- ☐ After Final
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Checklist and Accompanying Petition
- ☐ To Convert a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☒ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Additional Enclosure(s) (please identify below):

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Brown, Pinnisi & Michaels, PC

Signature

Thomas T. Aquila

Date

2/20/01

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

EL572518323

Typed or printed name

Judy Barron

Signature

Judy Barron

Date

2-20-01

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 155.00

Complete if Known

Application Number	09/294,663
Filing Date	04/19/99
First Named Inventor	Granados
Examiner Name	Ibrahim, M.
Group Art Unit	1636
Attorney Docket No.	BTI-39 CIP

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 02-0910  
Deposit Account Name: Brown, Pinnisi & Michaels

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES

Total Claims: -20\*\* =  X  =   
Independent Claims: -3\*\* =  X  =   
Multiple Dependent:  =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103 18	203 9	Claims in excess of 20	
102 80	202 40	Independent claims in excess of 3	
104 270	204 135	Multiple dependent claim, if not paid	
109 80	209 40	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	155.00
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 155.00

## SUBMITTED BY

Name (Print/Type)	Thomas T. Aquilla	Registration No. (Attorney/Agent)	43,473	Telephone	607-256-2000
Signature	Thomas T. Aquilla	Date	2/20/01		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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